

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

-----

CHARLES M. THOMAS,

Plaintiff,

-v-

3:24-CV-1265

JUDGE BRETT S. NOONAN,

Defendant.

-----

APPEARANCES:

OF COUNSEL:

CHARLES M. THOMAS

Plaintiff, Pro Se

650 Old Front St.

Room 233

Binghamton, NY 13905

DAVID N. HURD

United States District Judge

**ORDER ON REPORT & RECOMMENDATION**

On October 8, 2024, plaintiff Charles M. Thomas (“plaintiff”) commenced this six-count action for alleged constitutional deprivations in connection with state court proceedings held before Judge Brett S. Noonan (“defendant”). Dkt. No. 1. Along with his complaint, plaintiff moved for leave to proceed *in forma pauperis* (“IFP Application”), Dkt. No. 2.

On December 18, 2024, after conducting an initial review of plaintiff’s complaint, U.S. Magistrate Judge Thérèse Wiley Dancks granted plaintiff’s IFP Application. Dkt. No. 6. Judge Dancks further advised by Report & Recommendation (“R&R”) that plaintiff’s complaint be dismissed in its entirety.<sup>1</sup> Dkt. No. 6.

Plaintiff has not lodged objections and the time period in which to do so has expired. *See* Dkt. No. 6. Upon review for clear error, Judge Dancks’s R&R will be adopted in all respects. *See* FED. R. CIV. P. 72(b).

Therefore, it is

ORDERED that

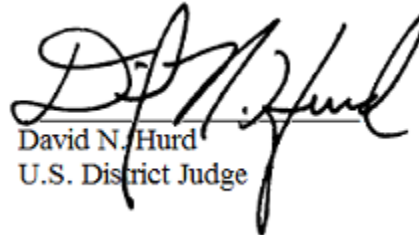
1. The Report & Recommendation (Dkt. No. 6) is ACCEPTED;
2. Plaintiff’s complaint is DISMISSED without leave to amend.

---

<sup>1</sup> Moreover, this action is nearly identical to that which was filed in 3:24-CV-1235 (“*Thomas I*”) with the sole difference being that the complaint in the instant matter is missing a page which was properly included in *Thomas I*.

The Clerk of the Court is directed to terminate the pending motions, enter a judgment accordingly, and close the file.

IT IS SO ORDERED.



David N. Hurd  
U.S. District Judge

Dated: January 23, 2025  
Utica, New York.